

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 07 August 2003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Arai et al.

There is disclosed in Arai a liquid storage and mixing device, including a vessel 201 provided with recycling means 206, 213, 215 operable to withdraw a liquid from a bottom of the vessel and to re-introduce the liquid to the vessel and liquid therein, and conditioning means including radially extending tubular distribution means 208 mounted adjacent the bottom of the vessel and communicating with the re-cycling means and provided with nozzles 209, and a rotary distribution device (doctor blades) 204.

in regards to the use of the device to store wine, such is intended use only and provides no structural limitations to the claims.

Allowable Subject Matter

Claims 1 and 5-14 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Rivers, Stormo and Vandercook are cited for their disclosure of the state of the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald L. Alexander whose telephone number is 571-272-1395. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3742

Primary Examiner, Art Unit 3742